

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3324

IN THE MATTER OF:

Served May 1, 1989

Application of ATE MANAGEMENT AND )  
SERVICE COMPANY, INC., for )  
Temporary Authority )

Case No. AP-89-15

By application filed April 4, 1989, and amended April 12, 1989, ATE Management and Service Company, Inc. (applicant), seeks temporary authority to conduct charter operations between points in Montgomery County, MD, pursuant to a contract with the Montgomery County, MD, Department of Transportation, Division of Transit Services (the County).

Order No. 3313, served April 14, 1989, generally described the evidence submitted with the application, and that order is incorporated herein by reference. Order No. 3313 served as publication of notice and directed that protests be filed in accordance with Commission Rule No. 14 no later than April 24, 1989. No protests to the application were received by the Commission within that time.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may, in its discretion, grant an application for temporary authority, without hearing or other proceeding, if it finds that there is an immediate and urgent need for the service proposed by the application and that no other carrier service is capable of meeting that need. Fitness of the applicant is also required. See Application of Suburban Transit Company for Temporary Authority to Serve the Capital Centre, Order No. 1643, served January 24, 1977; Application of American Coach Lines, Inc., for Declaratory Order or, in the Alternative, Temporary Authority to Conduct Charter Operations Between Points in the Metropolitan District, Order No. 2738, served July 22, 1985; See also Order Nos. 2440, 2448, 2864, and 3221, served July 8, 1983; August 10, 1983; May 23, 1986; and August 23, 1988, respectively.

Inasmuch as no duly authorized carrier protested this application, thereby indicating its ability and willingness to provide the service proposed by applicant, the Commission finds that no other carrier is capable of meeting the need for the proposed service. It is further found, based on the evidence of record as described in Order No. 3313, that there is an immediate and urgent need for the service described in this application and that applicant is fit to provide that service.

THEREFORE, IT IS ORDERED:

1. That ATE Management and Service Company, Inc., is hereby conditionally granted 180 days temporary authority, contingent upon timely compliance with the terms of this order, to transport passengers

in charter operations pursuant to contract with the Montgomery County, MD, Department of Transportation, Division of Transit Services over the following routes:

<u>Route</u>	<u>Description</u>
23	Sibley Hospital-Friendship Heights Station
30	Medical Center Station-Bethesda Station
31	Glen Echo-Bethesda Station
32	Cabin John-Bethesda Station
34	Bethesda CBD Loop
36	Bradley Boulevard-Bethesda Station
37	Potomac-Grosvenor Station
44	Rockville Station-Twinbrook Station
45	Rockshire-Twinbrook Station
52	Shady Grove Station-Olney-Rockville
53	Shady Grove Station-Olney-Rockville
56	Lakeforest-Rockville Station
58	Lakeforest-Shady Grove Station
61	Germantown-Shady Grove Station
64	Montgomery Village-Shady Grove Station
68	MARC Station-Waters Landing
69	MARC Station-Gunners Lake
70	MARC Station-Clopper Mateney-Cinnamon Woods-MARC Station

2. That ATE Management and Service Company, Inc., is hereby directed to file with the Commission, no later than 15 days from the service date of this order (a) a certificate of insurance as required by Regulation No. 62; (b) an equipment list stating make, model, serial number, license plate number, and vehicle identification number of each vehicle to be used in WMATC operations; (c) proof that all vehicles to be used in WMATC operations are registered with and have been inspected by a signatory jurisdiction to the Compact; and (d) an affidavit certifying compliance with Commission Regulation No. 67 governing identification of vehicles.

3. That upon compliance with the requirements of the preceding paragraph within the time set therefor, or such additional time as the Commission may direct or allow, the Executive Director shall notify applicant, in writing, that it may commence operations pursuant to temporary authority, whereupon the grant of temporary authority herein contained shall become effective.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:

  
William H. McGilvery  
Executive Director